ENVIRONMENTAL PROTECTION AGENCY

Minutes of the 2nd meeting of the Radiological Protection Advisory Committee (RPAC) held on 24th February 2016 at the Office of Radiological Protection, Clonskeagh, Dublin 14

Present:	Dr Ann McGarry (Chair) Mr Darren Arkins Mr Anthony Bexon Dr Sean Curran Mr Ray Ellard Dr Fiona Lyng Dr Mary O'Mahony Prof. Peter Mitchell Mr Michael Rowan Mr Michael Sadlier
In attendance:	Dr Stephen Fennell Ms Stephanie Long (Scientific Secretary) Dr Jack Madden Dr Ciara McMahon Dr Kilian Smith
Apologies:	Dr Paul Dorfmann Dr Maurice Fitzgerald Dr Jean-Luc Godet

1. Minutes of 1st meeting and Matters Arising

   Dr McGarry welcomed all to the second meeting of the Committee. The minutes of the first meeting were agreed and there were no matters arising.

2. The 2015 IAEA's Integrated Regulatory Review Service (IRRS) mission to Ireland. Mission findings and Action Plan.

   Dr Stephen Fennell gave an overview of the IRRS mission. There was some discussion and a number of queries following his presentation. Dr Mary O'Mahony queried whether there was a charge to the EPA for the Mission and whether there were linkages with the WHO International Health Regulations (IHR). Dr Ciara Mc Mahon replied that the IHR are not specifically included but that the WHO and the IAEA co-sponsor the standards that the EPA was measured against during the Mission.

   Mr Michael Rowan queried whether the development of a waste management facility had been addressed during the Mission. Dr Stephen Fennell replied that the Mission Team had been highly complementary that about 99% of disused sources have been disposed of. He added that the need for a waste storage facility is only the first part of the solution for radioactive waste and that, as the regulator, the EPA cannot be the operator of any such

facility. He noted that the Mission Team emphasised the importance of progressing plans for this facility.

Dr Mary O'Mahony asked for clarification regarding likely responsibility for patient protection. Dr Stephen Fennell replied that the Health Information and Quality Authority (HIQA) had been identified as a possibility with both inspection and enforcement powers. The assignment of the competent authority is likely to be addressed through implementation of the Basic Safety Standards.

Dr Ray Ellard queried which body would ensure the recommendations regarding patient protection will be addressed. Dr Ann McGarry replied that during the IRRS Mission the IRRS Team met with Mr Tony O'Brien (Director General of the Health Services Executive (HSE)) and Dr Tony Holohan (Chief Medical Officer, Department of Health (DoH)) and that there is agreement from these two bodies that this issue needs to be addressed.

Mr Darren Arkins queried when the next Mission will be carried out. Dr Ann McGarry replied that there will be a follow up mission in three to four years and the Missions operate on a 10 year cycle.

Dr Peter Mitchell queried whether there is any strategy to address the long-term storage of radioactive waste for smaller States. He noted that a central shared facility would make sense for many States, particularly non-nuclear States. Dr Stephen Fennell replied that there are a number of groups across the EU that are investigating options regarding this and that the EPA is keeping a watching brief on this matter. Other, larger counties are developing their own storage facilities. Dr Ann McGarry added that it is not expected that there will be a waste facility developed in Ireland.

3. The implementation of the revised EU Basic Safety Standards Directive

Dr Jack Madden gave an overview of the plan to implement this Directive. Mr Michael Rowan asked for clarification regarding whether the existing Statutory Instruments (S.I.) will be merged into one S.I. or whether there will remain a number of different S.I.s. Dr Ray Ellard replied that this will most likely depend on the approach taken by the legal team. Mr Rowan also queried whether there has been collaboration with other bodies such as the HSE, the DoH and HIQA. Dr McGarry replied that the Department of the Environment, Community and Local Government (DECLG) as the lead agency has already held a meeting of interested parties including the HSE, the DoH and the EPA in December and that a further meeting will be held this March. Dr O'Mahony queried the role of the Health and Safety Authority (HSA) in this process. Dr McGarry replied that there are well established interfaces between the HSA and the EPA, including a MoU. The key challenge will be in addressing the areas of patient protection and medical exposure. She added that we are still at an early stage in this process but that there will be greater clarity following the March meeting. She also mentioned that the DECLG preference is to amend existing legislation rather than to draft new legislation. The EPA's preference would be for new legislation as it is much clearer for

those implementing it. Ultimately, the decision regarding this will come down to the legal team.

Dr Mitchell commented that the Commission have requested explanatory material from each Member State and that it would have been far more logical for the Commission's legal advisors to develop a generic template for each Member State to use. Dr Ellard agreed and commented that the Commission are beginning to replace Directives, which require national legislation, with Regulations which are directly applicable without the need for national legislation, to simplify the process. He agreed with Dr McGarry that it would be preferable to have new legislation but more importantly, what will the impact of this new legislation be on the EPA and other bodies? He queried whether there has been a regulatory impact assessment to gauge the level of impact. Dr McGarry replied that she expected that the DECLG will begin the process with a regulatory impact assessment. Dr Ellard added that on the matter of professional mobility and training requirements there are a significant number of European Regulations addressing this area and that many are unclear.

Dr McGarry thanked the Committee for the useful discussion. She noted that DECLG planned to consult on the draft legislation and that this would be an opportunity for interested organisations and individuals to provide comments.

4. The delegation of decision making within the Office Radiological Protection

Dr Kilian Smith gave an overview of this process within the wider EPA.

5. AOB

Dr McGarry circulated copies of the EPA Strategic Plan 2016 to 2020 and advised that the ORP actions within the Strategy Action Plan will be presented to the Committee. She added that if there are particular items that the Committee would like discussed to send these to Ms Stephanie Long (s.long@epa.ie). She thanked the Committee for the valuable contributions made during the meeting and added that work to implement the BSS will likely be on the agenda of the next meeting.

Dr McGarry will move to the Commission for Energy Regulation as Director of Energy Safety in April. The Committee thanked Dr McGarry and wished her well in her new role.

6. Date of next meeting

It was agreed that the date for the next meeting will be Wednesday 12th October from 11.00 to 12.30.